

June 20,2011  
Amendment Plan

RE:Meeting to discuss the DWP Specific  
5 copies for Council Members

To:Seal Beach City Council Members:

Dear Council Members:

I have read the Public Review Draft of the DWP Specific Plan Amendment - Initial Study/Environmental Checklist.-

I have several questions on the Draft and want to express them to you in a written form as I fear I may not be able to express myself clearly enough and ask the questions fast enough in the allotted time at tonight's meeting. . Here they are as I saw them on the "check list."

**THE QUESTIONS ARE ON THE PAGES OF THE :DWP Specific Plan Amendment AS SHOWN BELOW:**

Page 6 – There was study done in the late 70's or early 80's (1983 ?) and study is not shown and I believe that study...that had questions re: Asbestos

1.2 0 Purpose –

Not much discussion of ways to mitigate. Can the City askl the author's of the plan for additional input?

Project Compatibility – Completely avoided discussion of the fact that we are in a Tsunami sensitive area.

Can I know the names of those who prepared and/or participated in preparation of the initial study? In fact What is considered the 'initial study?'

Page 9 – 2.2 Project background and history. BCP bought the project after several DWP Specific Plans were passed regarding what type of development should be there and how much open space should be there. Those plans were done by the City Council's at the time. What were the reasons given for any changes made?

What are the reasons for the present Specific Plan Amendment?

Page 12 - Zoning/DWP Specific Plan Amendment tries to modify boundaries that reduce the amount of open space, increases the amount of development space and type of development and moves development space south of Center Street which has never been addressed in any of the earlier plans.

It appears that a new map has surfaced which changes the map that many residents thought was the "current" map?

2.3.1 PROJECT OBJECTIVES – Incorrectly says that one objective is to enhance open space for residents and to preserve public access to beach through "continued use of San Gabriel Rive Bike Trail" - - Why would that access be lost?

Page 13 Project characteristics. States that the 30/70 split in the land use, as designated in earlier plans will be changed to 40/60 or less? What does the Planning Dept say it will be if passed as requested?

Page 15 Vehicular Access states proposed streets would provide a 56 foot right-of-way as required by City standards. Much of that right-of-way would be gained by the acquisition of the open space land discussed above on the "new" Center street.

Page 18 – Environmental Factors "Potentially Significant y Affected."

Aesthetics • Agriculture and Forest Resources • Air Quality • Biological Resources • Cultural Resources • Geology and Soils • Greenhouse Gas Emissions • Hazards and Hazardous Materials • Hydrology and Water Quality \* Land Use and Planning • Mineral Resources • Noise • Population and Housing • Public Services • Recreation •

Transportation/Traffic • Utilities and Service Systems • Mandatory Findings of Significance (All of the above items are noted as having a "Potentially Significant Impact" or "Less than a significant Impact with Mitigation Incorporated" with three exceptions - Agriculture and Forest Resources, Hazards and Hazardous Materials, Mineral Resources. )

There seems to be a significant impact from earlier tests regarding the presence of asbestos but it seems to be treated here as of little significance. -How can the others mentioned above be Significantly affected and at the same time be "Less than significant."

Page 21 – Environmental Analysis. There are four substantial adverse affects noted here and all offer a potentially Significant Impact. Not listed is the fact that this area is subject to being exposed to Tsunami damage and loss of life and the fact that this piece of “Legacy Property” and it will be of significant value WHEN PCH becomes a State Scenic Highway.

Page 25 – Air Quality. There are 4 Potentially Significant affects and one of less than significant affect. 4 out of 5 adverse air quality affects in itself seems a significant number.

Page 27 – Of the 6 items listed 4 have potentially significant adverse affects – the modification of species by local policies or by the Calif Dept of Fish and Game , adverse effect on riparian habitat or other sensitive natural community identified plans. One would assume this also includes the tidal water in the river?

Adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal filling, hydrological interruption, or other means’, interference with movement of any native resident or migratory fish or wildlife species or impede the use of native wildlife nursery sites.

Page 29 - Cultural Resources. They are 4 items listed as Potentially Significant. The chance of archaeological resources being present is highly likely.... as similar land nearby (Bolsa Chica Mesa) was shown to have a multitude of burial bones from a native American burial area more than 1000 years old, the presence of rare cog-stones, actual intact skeletal remains - -this after the city disagreed with experts and allowed the sub-division and digging was allowed by the local city council. Now lost forever. Surely we don't want to repeat the mistakes that our neighbors have made and regret.

Page 29 – Geology. The site is subject to Potentially significant impact from ground shaking and seismic related ground failure and liquefaction.

Page 33 – Substantial Soil erosion/loss of topsoil has a potentially significant threat. Clearing and grading may create the potential for soil erosion. Based on available Phase II Environmental Site Assessment investigations of historic on-site power generation stations we know to expect levels of asbestos are present in localized areas of on-site soils Further the soil could be unstable or become unstable as a result of the project and result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Page 35-Greenhouse Gas Emissions. Greenhouse gas emissions may have a significant impact on the environment and could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of such gases. The Amendment seemed to be 100% in agreement that such emissions would or could happen. Is that correct?

Page 37 – Hazards and Hazardous materials – 8 items all listed as less than significant threats even though on Page 33 there was admittedly a potential asbestos threat and we know that some asbestos clean-up was attempted in the late 60's or 70's. Who ever wrote this took over 4 pages to tell us why there was no threat.... and that's more than double the amount of pages used for any other explanation for a specific threat?

Page 41 – Hydrology and Water Quality – cites 11 out of 16 items as having “potentially significant impacts”

Important to note that on page 46 they mention the city's exit plan during a Tsunami.... and on the surface they (whomever 'they' are? ) seem to think there will be a lot of warning time.

Additional note. . One of the exit routes is Ocean Avenue.... which will make those trying to escape using a road that goes closer to the incoming Tsunami. Potentially even more threatened. Was Seal Beach Tsunami threat and escape plan adjusted since the 2011 Tsunami in Japan. That city suffered great damage from a Tsunami exactly 25 years ago.

Page 49 – Land Use and Planning - The comments by the authors of the Amendment Plan state the following:

Conflict with any applicable land use plan, policy, or regulation of an agency  
With jurisdiction over the project (including, but not limited to the general  
Plan, specific plan, local coastal program, or zoning ordinance) adopted for  
The purpose of avoiding or mitigating an environmental effect?

That would seem to close the door on the Amendment without comment?

Page 53 – NOISE – 4 items all showing Potentially Significant Damage.

Page 55 – Population – These are the author's words -

“Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses or indirectly for example, through extension of roads or other infrastructure?)

That seems to be that "Population" is another item that would close the door on the amendment without further comment. Based on the Author's description.

What are the council members suggestions or comments on this item?

PAGE 57- Public Services - All 5 items are listed as substantial adverse impacts.

(Not mentioned is the additional EXPENSE.) This makes one wonder why the city didn't stay with the existing plans and why the city decided NOT to charge BCP the normal fees?

Also Why does the City give suggestions to BCP on how to avoid certain state or county taxes...WHEN OUR STATE IS IN SUCH GREAT NEED OF ADDITIONAL REVENUE?

Did the City Council Members seek the Advice of the City Manager and the City Attorney before giving BCP the tax advice. If it was wrong advice is the City liable?

Additionally what will the impact be on Police and Fire Needs?

What will the impact be on our Schools ?

PAGE 59 – Parks

This land was supposed to be 70% an open space park and some say it could now potentially be as little as 40%?

Page 61 – Transportation - 3 Potentially Significant Impacts that are in conflict with an Applicable Plan

PAGE 63 – 8 ITEMS - ALL are Potentially Significant Impacts

Who wrote that caveats that made these "POTENTIALLY SIGNIFICANT" warnings on all the items in the Specific Plan Amendment

During last weeks Council Meeting Mark Persico, City Planner, talked of the many 'benefits' of this development? Could I please see a printed copy of those comments? Were any of them addressing what we now see in this Check List and had Mark had a chance to see this check list before evaluating his comments?

Respectfully

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